

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

07 NOV 30 AM 9:56

Magistrate Case No.

'07 MJ 2780

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Plaintiff,

BY: *v.*

DEPUTY

COMPLAINT FOR VIOLATION OF:

) Title 8 U.S.C., Sec. 1324 (a)(1)(A)(ii)

) Transportation of Illegal

) Aliens

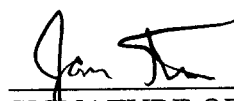
Rodolfo VETA Jr.,

Defendant(s)

The undersigned complainant, being duly sworn, states:

On or about **November 28, 2007**, within the Southern District of California, defendant **Rodolfo VETA Jr.** with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Jose Luis JARAMILLO-Soto** and **Daniel ALVEAR-Soto** had come to, entered and remained in the United States in violation of law, did transport and move, said aliens within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

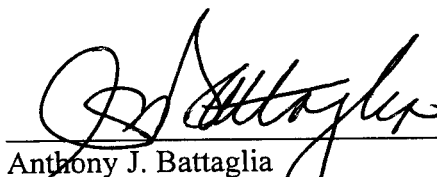


SIGNATURE OF COMPLAINANT

James Trombley

Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 30th DAY OF NOVEMBER, 2007



Anthony J. Battaglia

UNITED STATES MAGISTRATE JUDGE

Cau

CONTINUATION OF COMPLAINT:**Rodolfo VETA Jr.****PROBABLE CAUSE STATEMENT**

Furthermore, the complainant states that **Jose Luis JARAMILLO-Soto and Daniel ALVEAR-Soto** are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On November 28, 2007, at approximately 6:00 P.M., Border Patrol Agent N. Peraza was conducting Border Patrol Operations in the vicinity of Tecate, California. This area is very desolate and is located approximately a quarter mile west of the Tecate, California Port of Entry, and approximately a half mile north of the International Boundary between Mexico and the United States.

Agent Peraza responded to seismic intrusion device activation near the port of entry. Driving towards the seismic intrusion device Agent Peraza observed a silver Hyundai driving east bound on Mission Road in the same general area of the intrusion device. The silver Hyundai was the only vehicle in the general area. Agent Peraza looked over towards the vehicle and noticed two individuals bobbing up and down attempting to conceal themselves in the back seat of the Hyundai. At approximately 6:10 P.M., suspecting possible illegal alien activity, Agent Peraza followed the vehicle and noticed once again individuals moving around in the back seat of the Hyundai activated the emergency lights on north bound State Route 188. The vehicle came to a stop. Agent Peraza approached the driver and identified himself as a United States Border Patrol Agent then asked the driver his citizenship. The driver, later identified as the defendant **Rodolfo VETA Jr.**, stated that he is a United States citizen. Agent Peraza questioned the two individuals in the back seat as to their immigration status. Both individuals admitted to being nationals and citizens of Mexico illegally present in the United States without proper documents. The defendant and the two individuals were arrested and transported to the Brownfield Border Patrol Station for processing.

MATERIAL WITNESSES STATEMENTS:

Material Witnesses **Jose Luis JARAMILLO-Soto and Daniel ALVEAR-Soto** stated that they are citizens and nationals of Mexico illegally present in the United States. They stated that they did not have any immigration documents allowing them to be in the United States legally. They stated that arrangements had been made in Baja California, Mexico to be smuggled into the United States. Both material witnesses stated that they were to pay \$500.00 U.S. dollars to be smuggled to various parts of California. Both material witnesses stated that a foot guide led them across the border. Both material witnesses stated that they were led to a pre-determined pick-up location. They stated that once the car arrived the guide told them to get in the vehicle. When shown a photographic lineup the material witnesses were able to identify the defendant as the driver of the vehicle.